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Successful risk navigation

Emerging Risks

Planned for the insurance sector in 2026

December, 2025



Emerging risks are those about which we do not have much knowledge or information. These risks are generally new and mostly changing, and although the probability of their occurrence is low, if they were to materialize, they would have a negative impact on individuals, organizations, or states.

Due to the rapid pace of change in the world, we can see how new risks are emerging that encompass and are often related to four main factors: geopolitics, law and regulation, science and technology, and the environment.

Emerging risks tend to materialize at the global level; some may even influence most aspects of daily life and virtually all countries.



These emerging risks can be identified as the result of global trends. Some are driven by regulation, others develop in regulatory gaps and, in certain cases, are classified as immature risks because the scientific or political debate has not yet translated into clear parameters for insurable losses or legal precedents.

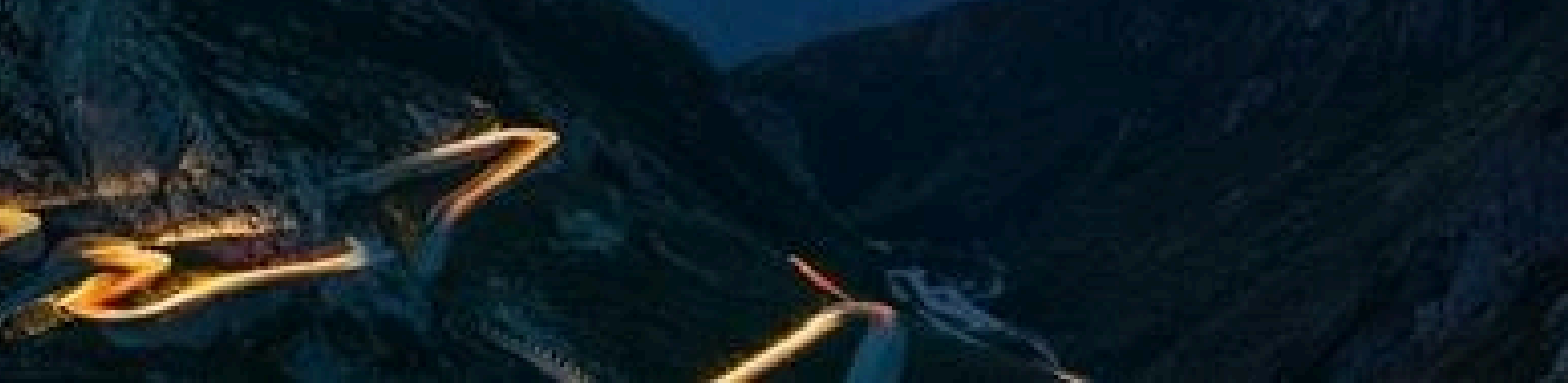
In all cases, emerging risks fluctuate rapidly and significantly in speed, scale, and severity, requiring the insurance industry to constantly monitor, adapt regulations, and develop the technical capacity to adjust underwriting processes, actuarial models, and contract wording.

A useful tool for anticipating future risks that may affect insurers and policyholders is the **PESTEL** Framework, an acronym for (Political, Economic, Social, Technological, Environmental, and Legal). This approach allows for the establishment of a strategic risk map that facilitates corporate and regulatory decision-making.



In this context, Clyde & Co International presents the emerging risks that could impact the insurance sector in 2026:

- Social media addiction.
- Space (commercial and orbital space sector).
- Next-generation nuclear energy (including SMRs).
- International sanctions and regulatory fragmentation.
- Head Office Liability.
- Litigation Funding.



This is according to Neil Beresford, Partner and Head of the Emerging Risks Program at Clyde & Co, London:

> *"The risks faced by insurers in 2026 and beyond are evolving rapidly and present both challenge and opportunity.*
>
> *Emerging risks such as head office liability and the growing influence of litigation funding are reshaping corporate risk profiles, while technological and geopolitical developments, from next-generation nuclear energy to expanding space activity and tightening global sanctions, are adding further complexity.*
>
> *At the same time, shifting social behaviours, including the rise of social media addiction, are creating more liability risks for insurers linked to mental health. By anticipating these emerging risks and adapting swiftly, insurers can not only protect their clients but also strengthen their own resilience."*

(01 December 2025) Clyde & Co identifies key emerging risks for insurers in 2026. Press Release. www.clydeco.com

This analysis coincides with what has been observed in recent regulatory cycles: insurers are exposed to an increasingly complex risk environment, where the convergence of technological innovation, geopolitical tensions, critical infrastructure development, regulatory transformation, and new social dynamics broadens the spectrum of exposure and redefines the legal framework for civil, contractual, and regulatory liability.

Likewise, various markets such as the United Kingdom, the European Union, the United States, the Middle East, and certain Latin American jurisdictions are moving toward stricter regulatory frameworks in areas such as generative artificial intelligence, liability models applied to space activities, cross-border corporate relationships, digital content control, and strict economic and financial sanctions regimes.





Is AI an emerging risk?

Of course it is.

Artificial intelligence (AI), especially in its generative form, is a risk multiplier within the global and Venezuelan environments. Although national regulations do not yet provide a specific legal framework for AI—unlike jurisdictions such as the European Union with its AI Act—various Venezuelan regulatory bodies are already indirectly impacted by its use.

The AI can amplify pre-existing risks in Venezuela, such as the spread of misinformation, the impact on strategic infrastructure regulated by entities such as CONATEL, SUNAVAL, or the Superintendency of Insurance Activity (SUDEASEG), as well as incidents resulting from opaque automation without auditability or traceability. This lack of traceability poses challenges in terms of civil liability, attribution of damages, preservation of digital evidence, and forensic analysis during litigation or administrative proceedings.





Should AI be considered an insurable risk, a technical exclusion, or a transformative element of traditional policy design?

Its classification will depend on national regulatory developments, the guidelines that may be issued by SUDEASEG, and the ability of insurers to implement technical audits, algorithmic evaluation models, compliance certifications, and verifiable ethical and operational control mechanisms.

Additionally, AI can impact the corporate reputation of policyholders, generating claims for algorithmic discrimination, automated failures in labor, financial, or operational processes;

As well as for improper handling of personal data subject to national regulation. These risks also transform the dynamics of litigation in Venezuela, particularly in scenarios where class action lawsuits, corporate social responsibility, or international litigation funding begin to take on greater prominence.

Thus, our firm recommends including exclusions or limitations for unvalidated uses of AI in insurance programs, along with audits, technical tests, and protocols against bias, as well as promoting specialized expert centers capable of analyzing algorithms, technical traceability, and technological incidents, facilitating risk assessment, legal defense, and the determination of civil liability.

The legal strategy of the insurance sector must be structured around key operational lines, monitoring regulations, sanctions, data rules, and international AI standards, and updating wording and policies with exclusions, clauses for digital risks, and guidelines for cross-border operations.



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