Does the “Responsibility to Protect” Encourage Third-Party Intervention?

Rough Draft
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Prepared for the 2009 APSA Annual Meeting
Toronto, Ontario, Canada, September 3-6, 2009
I. Introduction

On September 16, 2005, the national leaders from across the world assembled at the United Nations and signed a document that recognizes the responsibility of governments to protect their populations from genocide, crimes against humanity, war crimes, and ethnic cleansing. The extraordinary aspect of the act was that the 2005 World Summit Outcome document also affirms the responsibility of other states to step in when a government is manifestly failing in its protection role. Interventions are meant to be non-coercive and preventive, but if such initial actions do not succeed in their protective goal, then more coercive measures are allowed, up to and including the use of military force in extraordinary circumstances.

The “responsibility to protect” is predicated on the idea that state sovereignty is derived from the rights of individuals within the state. If a government does not fulfill its duty to protect the basic human rights of its population, then it forfeits its own sovereign protection in the international system. The concept of “sovereignty as responsibility” challenges the traditional idea of state sovereignty that underpins the international system. Traditionally conceived, a state’s right of sovereignty imposes a corollary duty on other states not to interfere in the sovereign country’s internal affairs. Exceptions to the principle of noninterference allow for the use of force only in self-defense and to preserve international peace and security.

Many observers give credit to the noninterference principle for reducing the amount of military intervention and violent conflict between countries. They argue the principle, written into the Peace of Westphalia, made possible a long period of stability in Europe after the Thirty-years War, despite continued strong differences in religious beliefs that previously had led kings and princes to fight.¹ They worry that the responsibility to protect concept undermines the principle of noninterference and encourages military intervention.

¹ Need citation.
Opponents of the responsibility to protect (R2P) raise a second, more particular objection. Arguing powerful countries will use civilian protection as moral justification for self-interested intervention, they see R2P as neo-imperialist. Most such opposition comes from governments that feel vulnerable because either they are weak or they regularly violate their peoples’ human rights, or both. The Head of Mission to the UN of a major G-77 country said, “The concept of the responsibility to protect does not exist except in the minds of Western imperialists.”

Not all opposition is self-serving. Some academics and policy analysts also oppose the concept on anti-imperialist grounds:

Any principle of intervention can readily be abused – as by the French in central Africa – or become a charter for imperial occupation. There may be cases in which imperial rule is the lesser of two evils, perhaps to end genocide (a current preoccupation) or to end slavery (a late 19th century one), but philanthropic imperialism is imperial nonetheless.

This paper addresses both the general concern that R2P encourages increased interventionism and the specific concern that interveners are likely to cloak self-interested action in the rhetoric of protection. The more important of the two issues is whether R2P increases the frequency of military intervention. Military intervention is a blunt and dangerous instrument of foreign policy that yields unintended outcomes as often as intended ones. If the responsibility to protect encourages military intervention, the concept that is intended to make the world a safer place to live, could instead make it more violent and dangerous.

Does the responsibility to protect concept encourage states to intervene when they otherwise would not? Do interveners use the moral justification embedded in R2P to prey upon the weak while claiming the moral high ground, more than in the past?

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This paper begins to explore these questions by posing two competing hypotheses. The first, grounded in the constructivist argument that ideas and norms influence state behavior, says that the responsibility to protect does increase the frequency of military intervention. The second, grounded in the realist argument that states act according to their interests and the constraints of power, says that the responsibility to protect does not have an influence on military intervention.

The hypotheses are tested against data on the number of interventions per conflict per year, the type of intervener, and whether their motives are political or humanitarian. The data is categorized into four time periods: Cold War (1946-1989), post-Cold War (1990-2005), post-9/11 (2002-2008), and post-World Summit (2006-2008). The dataset is derived from the International Military Intervention dataset and the Uppsala Conflict Data Project. The initial findings support the realist argument that the responsibility to protect (R2P) concept does not lead to more third-party military intervention. The constructivist argument that R2P dangerously encourages intervention is not supported. The data also show it is not true that most interventions are initiated by powerful countries against weak ones. It is more common for weak countries to initiate military action against other weak countries. Intervention was justified on the grounds of protecting civilians on a number of occasions in the post-cold war period. On most such occasions, the intervention was led by an international organization, not a selfish state. Overall, these findings refute the arguments that R2P encourages military intervention and that interventions are undertaken mostly by powerful states that try to hide their political motives behind humanitarian rhetoric. Nonetheless, third party military intervention has been a common phenomenon and remains one today. This suggests violation of the noninterference principle is a concern regardless of the responsibility to protect.

The rest of this paper is structure as follows. Section two summarizes contending arguments about the influence of R2P on third-party military intervention and defines

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UCDP; IMI
the terms “responsibility to protect” and “third-party military intervention.” Section three specifies contending hypotheses based on constructivist and realist arguments. It also introduces the dataset that is used to evaluate the comparative strength of the hypotheses. Section four discusses patterns of conflict and intervention over time and compares them to the hypotheses. The concluding section briefly summarizes the findings.

II. Contending Arguments on the Influence of R2P

Contending positions on the influence that the responsibility to protect has on the frequency of military intervention are found among both policymakers and academics. In the policy realm, the broad assumption is that the R2P concept has the potential to influence when and where intervention takes place. The division into camps of proponents, skeptics, and opponents is over whether and how to push the concept forward. That is, it is about politics and policy preferences. Proponents of R2P implementation include the UN Secretary-General, Ban Ki-Moon, and a number of governments, the most supportive of which include Australia, Belgium, Canada, France, Mexico, Netherlands, United Kingdom, plus Rwanda. The strongest opponents include Algeria, Belarus, Cuba, Egypt, Iran, Pakistan, Sudan, Syria, Venezuela, and Zimbabwe. Other states and major regional intergovernmental organizations, such as the African Union and the Organization of American States, lie at various points on the spectrum between the two poles.\(^5\)

In the academic realm, there is no shared assumption that R2P can influence state behavior. Constructivists, who believe ideas play a strong role in determining the foreign policy decisions of governments, hold that the responsibility to protect concept can, for

better or worse, influence decisions about military intervention. Realists, who believe states have enduring interests that they pursue within the constraints of their relative power, hold that ideas, including the responsibility to protect, have little discernible influence on decisions to use military force. We should keep in mind that there is not a direct correlation between different policy camps and intellectual perspectives. Some constructivists want the responsibility to protect implemented so that civilians are protected from the worst atrocities. Others think implementation will lead to more violence and the perpetuation of unequal and unjust relationships. A core realist tenet is that a country’s military power should be used for self-interested reasons. Nonetheless, most also recognize the moral value of preventing genocide. We can shed light on the wisdom or folly of pushing governments to implement R2P policies by drawing on the two contending theoretical schools to apply competing hypotheses about the macro level effect of such implementation.

The dependent variable in this study is third-party military intervention. Military intervention is defined as the deployment of national land, air, or sea forces in the sovereign territory of a foreign state. The intervener can be a state, a coalition, or an international organization. Cross-border actions by paramilitary groups, militia, and private military organizations are not included. The term “third party” is used to exclude cross-border military incursions that occur as part of a dispute between two countries or

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6 Citations
7 citations
8 Gary Bass; Don Hubert.
11 We count a multi-national coalition as a single intervention, instead of multiple dyadic interventions. In this way we avoid counting repeatedly a functionally unitary intervention. Other datasets, including IMI, distinguish between coalitions that act under a unified military command and coalitions in which national contingents maintain independent command authority, the former counting as a single intervention and the latter counting as however many coalition members there are. We find the distinction reflects not patterns of international behavior, but domestic politics. The advent of a unified or independent command structure has more to do with domestic politics in troop contributing countries than with the international environment in which the intervention takes place.
a country and a militarized non-state actor. Third-party intervention is a response by an outside actor to an actual or anticipated conflict between two or more other actors.

This definition is similar to the one used by Pearson and Bauman in the International Military Intervention (IMI) dataset, discussed below, except that it adds the third-party modification. The IMI definition specifies that military deployment is intervention when it happens “in the context of some political issue or dispute.” Their definition allows the term “intervention” to be applied to conflicts that involve only two parties, if the conflict occurs across a national border. The definition is appropriate when one is studying the transnational use of military force in general. When one is focused on the more specific topic of intervention to protect victims of violence, however, it does not make sense to include all cross-border incursions. The responsibility to protect only comes into play when there are “victims” to be protected. That is, when two groups already are in conflict, or imminently so. Intervention makes it a three-party, or more, event.

Narrowing the definition of military intervention in this way increases the validity, i.e. the relevance, of the data to be analyzed. It also yields a population of cases that is weighted in favor of the argument that concern for others motivates states to intervene, because it cuts out second party interventions that are far more likely to be motivated by the national interests of the aggressor. This means the analysis poses a harder test on the realist hypothesis and an easier test on the constructivist one than would otherwise be the case.

The independent variable is the concept of the responsibility to protect, as specified in paragraphs 138 and 139 of the 2005 World Summit Outcome document. The concept first found wide exposure in the 2001 report of the International Commission on Intervention and State Sovereignty, titled *The Responsibility to Protect*. The Outcome document, although not the first statement on R2P, is the definitive version because of its formal (but not legal) status and the central role it has played in all subsequent discussions. The document states, in part:

12 Pickering and Kisangani, JPR p. 593.
13 ICISS
Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. . . . The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.14

Timely and decisive collective action, in accordance with Chapter VII of the UN Charter, is diplomatic parlance for military intervention without the consent of the target government. Military intervention is a last recourse and is meant to be a small, rarely used, part of the responsibility to protect doctrine. Advocates for R2P dislike the disproportionate attention given to the ultimate resort to military force because it is the most controversial aspect and can undermine political support for the concept.15 On the contrary, because it is so controversial and has potentially high risks, costs, and benefits, we must give it a great deal of attention.

III. Hypotheses and Data on Conflict and Intervention

The responsibility to protect concept is recent so we do not have the luxury of looking back over many years to judge its influence on state behavior. It first came to the attention of an international audience of specialists in 2001, when the International Commission on Intervention and State Sovereignty published its report, The Responsibility to Protect. The report was utterly overshadowed by the 9/11 terrorist attacks and did not receive broad attention until the 2005 World Summit.

14 Outcome document, paragraphs 138 and 139.
15 Edward Luck.
We could wait for time to pass and data to accumulate, but lives are on the line. Furthermore, opponents and proponents are arguing already, with scant reference to evidence. It is important to develop a preliminary understanding of whether and how this idea influences state behavior, based on systematic investigation. The hypotheses and analysis below attempt to do that.

The first hypothesis contends that the responsibility to protect *does* encourage military intervention. Normative ideas provided the connection: the rise of the protection norm undermines the noninterference norm, creating a permissive environment for strong countries to abuse their power.

**Hypothesis 1:** The responsibility to protect concept weakens the noninterference principle and leads to more military intervention.

**Hypothesis 1a:** The governments of powerful states take advantage of the normative language of civilian protection to justify interventions in weak states.

The second hypothesis contends that the responsibility to protect *does not* encourage military intervention. Strategic interests provide the explanation: decisions to intervene are driven by perceived threats to strategic national interests, which do not include the wellbeing of people in other countries.

**Hypothesis 2:** The responsibility to protect concept does not change the strategic interests of states and does not lead to more military intervention.

**Hypothesis 2a:** Governments will not misuse the rhetoric of civilian protection because they undertake military intervention to pursue or protect national interests that are legitimate in their own right.

These competing hypotheses lead to two empirical questions. (1) Have there been changes in the number of military interventions per conflict per year consistent with the expected observations derived from each hypothesis? Using the ratio of interventions per conflict controls for a rise or decline in the number of interventions as a "natural"
consequence of a rise or decline in the number of conflicts. (2) Who intervenes—major powers, non-major powers or intergovernmental organizations?\(^{16}\)

To answer these questions we draw on two well-established datasets. Pearson and Baumann constructed the International Military Intervention dataset for the years 1946-1988.\(^{17}\) Pickering and Kisangani recently updated the dataset for the years 1989 through 2005.\(^{18}\) According to the latter authors, the updated IMI dataset “is the only current, systematic and broadly cross-national data collection on foreign military intervention available.”\(^{19}\) It includes data on the use of force against state and non-state actors. The inclusion of non-state actors makes the dataset relevant for the study of contemporary conflict, as compared to state-centric datasets such as the Militarized Interstate Disputes (MID) dataset, the Military Intervention by Powerful States (MIPS) dataset, and the Foreign Overt Military Intervention dataset, all of which exclude non-state actors.\(^{20}\) IMI has the additional advantage of coding the motives for intervention.

The IMI dataset includes all instances of national armed forces crossing international borders when not invited. We modified it in accordance with our definitional difference noted earlier, with two results. First, the number of intervention events is lower in our dataset than in the IMI dataset because we included only third-party interventions.

\(^{16}\) The term “major powers” refers to the five permanent members of the UN Security Council: China, France, Russia, United Kingdom, and United States.


Second, we counted as conflicts those events that involved just two parties, such as cross-border pursuit of rebels or invasion of one country by another. This data was used in combination with the Uppsala Conflict Data Project dataset on armed conflict to establish our conflict dataset.

The second dataset we used is produced annually by the Uppsala Conflict Data Project (UCDP). It tracks the number of armed conflicts around the world. Conflict is defined by UCDP as a dispute over territory or government that results in 25 or more battle-related deaths in a year and in which at least one of the belligerents is a government. We used this dataset to supplement the conflict data derived from the IMI dataset because, unlike IMI, it includes cases where there is no cross-border military action, such as when a government is fighting an indigenous rebel group. The number of conflict events in our dataset is larger than in either the IMI or UCDP data. We include internal conflicts, listed by UCDP, that are not in the IMI data and we include conflicts, listed by IMI, with fewer than 25 deaths that are not in the UCDP data.

In sum, combining the UCDP and modified IMI datasets gives us comprehensive and up-to-date data on armed conflicts and third party military interventions. The combined dataset is unique, we believe. It enables us to observe the number of military interventions per calendar year in relation to the number of armed conflicts per year. The next section reviews the fluctuating pattern of interventions per conflict per year and its implications for the two main hypotheses.

A few words of caution are due before presenting the findings. First, additional work is needed to verify the reliability of our data. We have a high degree of confidence in the reliability of the IMI and Uppsala datasets, but coding mistakes might have occurred during the process of adjusting and combining the two. Addressing this issue is a simple matter of reviewing and verifying the coding we have done. Second, the analysis to date is simple quantification. It allows us to see patterns and make preliminary observations, but we do not know yet whether the changes observed are significant in a statistical sense. Once the reliability of the dataset is determined, we will look into the feasibility of
running statistical tests to generate more robust findings. Third, the short period of time since R2P was recognized as a legitimate, but contested, concept in international affairs necessarily limits the amount of data available. The drawback of having only a few years of data is compensated for by comparing the current time period with earlier periods to put the available numbers in perspective. A second way to handle the paucity of quantitative data is to employ qualitative methods to investigate interventions that have occurred since September 2005. This research task is discussed in the final section of the paper.

IV. Patterns of Conflict and Intervention Over Time

Analysis of the timing of changes in the number of conflicts, interventions, and interventions per conflict supports the realist argument that the R2P concept does not lead to more third-party military intervention. Conversely, it undercuts the arguments of constructivists and skeptical policy analysts that R2P encourages more intervention and increases the cynical use of humanitarian rhetoric. The following paragraphs substantiate this finding by addressing each of the two empirical questions introduced above.

The first and most important question for this investigation is: Have there been changes in the number of military interventions per conflict per year consistent with the observations that either one of the two primary hypotheses lead us to expect?

- If the constructivist hypothesis (H1) is right, we should see an increase in the incidence of military intervention after the 2005 World Summit. This expectation arises because the Outcome document was a strong normative statement with a high political profile. If ideas influence state behavior, we would expect them to do so under such conditions.
- The realist hypothesis (H2), in contrast, leads us to expect no change in the incidence of intervention after 2005. However, we should see an increase in

\[ \text{There might be too few observations during the post-World summit period to allow for meaningful statistical analysis.} \]
intervention after 2001, because the 9/11 terrorist attack on the United States gave the strongest state in the international system a strategic national interest in intervention.

Figure 1 presents a visual summary of the number of conflicts and interventions per year in all regions of the world from the end of the Second World War until 2008. The left-hand vertical axis shows the numerical values. Figure 1 also displays the ratio of interventions per conflict per year. The right-hand vertical axis shows the ratio values. The data table used to generate Figure 1 can be found in appendix A.

The data presented in Figure 1 and appendix A support the realist hypothesis and do not support the constructivist hypothesis. The number of interventions changed very little during the post-World Summit era (2006-2008). There were 38 interventions during the first two years, with a dip to 37 interventions in 2008. (In comparison, dramatic changes in the number of interventions occurred during three-year time periods 18 times since 1946.) The number of conflicts also changed little, with an increase from 42 to 43. The ratio of interventions to conflicts fluctuated in a narrow range between 0.86 and 0.90. One could argue that a 90 percent intervention rate is very high and lends credence to the argument that R2P leads to intervention. While the R2P concept might help to explain the high intervention rate, it cannot explain the three other times such a high rate occurred before the World Summit. High intervention rates must be driven by other, or additional, factors.

During the post-9/11 era, there was a noticeable jump in the number of interventions, from 35 in 2001 to 44 in 2003, followed by declining numbers heading into the post-World Summit period. The overall number of conflicts during this time dropped from 59 in 2001 to 41 in 2004. As a result of these two fluctuations, the ratio of interventions per conflict per year jumped from 0.59 in 2001 to 0.98 in 2004. In short, the global occurrence of military intervention seems to fluctuate in a manner consistent with the realist argument and inconsistent with the constructivist argument. The finding is more apparent when we magnify scale of the interventions per conflict, as in Figure 2.
A second look at the numbers yields similar findings. Table 1 presents the average number of conflicts and interventions, and the average ratio of the two, during four periods of time: Cold War (1960-1989), post-Cold War (1990-2005), post-9/11 (2001-2008), and post-World Summit, (2005-2008). The results give some support to the constructivist position, but are better explained by the realist argument.

The average number of interventions per year increases from one time period to the next until the post-World Summit era, when it drops slightly, in contrast to constructivist expectations. When we control for the number of conflicts per year, however, a different result emerges. The average number of conflicts fluctuated, with the highest number during the post-Cold War era and the lowest number during the post-World Summit era. Consequently, the ratio of interventions to conflicts rises consistently through the four time periods. The highest average ratio of 0.89 occurs during the post-World Summit era. This is what the constructivists would expect.

The finding is not strong though. The post-World Summit average ratio is only incrementally higher than the post-9/11 average ratio (0.89 interventions per conflict compared to 0.872). A much larger increase is seen between the post-Cold War and post-9/11 periods, when the average ratio jumps from 0.691 to 0.872. In other words, most of the increase occurred before the 2005 World Summit and therefore cannot be explained by the concept of the responsibility to protect that was affirmed there.

The IMI data set does not start counting interventions in Africa until 1960. In the interest of consistent geographic coverage, the Cold War average does not include the first 14 years after the Second World War. When the years 1946-1959 are included, the result is lower average numbers of conflicts and interventions during the Cold War and an overall Cold War average ratio of 0.53 interventions per conflict.
The second empirical question asks if interventions are initiated by major power states (the “permanent five” on the UN Security Council), non-major power states, or international organizations.

- The constructivist sub-hypothesis (H1a) says, the governments of powerful states take advantage of the normative language of civilian protection to justify interventions in weak states. If it is correct, we should see a rise in the number of interventions initiated by major powers after R2P gains international prominence. We should also see an increase in the proportion of interventions where the professed motive is civilian protection.

- The realist sub-hypothesis (H2a) says, governments will not abuse normative rhetoric because they undertake military intervention to pursue or protect national interests that are legitimate in their own right. If it is correct, we should expect no significant change in state behavior and no change in the justifications for intervention after 2005.

Table 2 displays the total numbers, percentages and annual averages of intervention initiation by major powers, non-major powers and international organizations across three time periods. The results are somewhat surprising with regard to state-led interventions. Major powers intervened considerably less often than non-major powers during the Cold War and slightly less often during the post-Cold War period. While third-party interventions by major powers garner a lot of attention, they are not as common as lower profile interventions by smaller states. Intervention, it seems, is not only a practice of the most powerful states. It is a common practice among large and smaller alike, but more so among smaller states.

<<table 2>>

A second observation is that none of the six third-party interventions initiated during the years 2006 through 2008 were conducted by major powers. Third, the post-World Summit era has a considerably lower number of interventions per year than both the Cold War and post-Cold War periods. These results undermine the claim of increased
interventionism and the claim that intervention is a practice only of the most powerful states.

The data support conventional wisdom on the activism of international organizations. Intervention by IOs was much less common than intervention by states during the Cold War. With the end of the Cold War, the number of IO-led interventions jumped to half of all interventions. During the post-World Summit years, six out of eight third-party interventions were initiated by IOs.

VII. Summary

To summarize, this preliminary analysis of changes in the number of third-party military interventions supports the argument that the responsibility to protect concept does not result in more intervention, or at least has not yet. Three observations support this finding. First, there has been very little change in the ratio of interventions to conflicts since the 2005 World Summit declaration on the responsibility to protect. Although three years of experience does not offer a strong basis for the claim, we do know that dramatic increases in the intervention rate during other three-year spans are possible. They have occurred several times in the past. Second, after the 9/11 attacks there was an increase of about 25 percent in the number of interventions and an even bigger increase in the interventions per conflict ratio. The increases can be explained by the power politics of realism, but not by the normative influence of the Responsibility to Protect report, which was ignored after it was published in late 2001 in the shadow of the terrorist strikes. Third, when we compare the average intervention per conflict per year across the cold war, post-cold war, post-9/11, and post-World Summit periods, we find constantly increasing interventionism. The increase was smallest during the R2P era, which undercuts the argument that R2P accelerates military interventionism.

The preliminary analysis also supports the argument that the most powerful countries in the world do not intervene disproportionately and do not try to hide behind civilian protection justifications in most cases. The first piece of supporting evidence for this
finding is that non-major power states as a group initiated more interventions than did major powers during all four time periods. Second, no major power initiated a third party intervention after the 2005 World Summit that opened up the potential for morally justified intervention.

Finally, it is worth noting that third-party military intervention is strikingly common and has become increasingly prevalent over time. For most years since the beginning of the Cold War, and during all four time periods, more than half of the on-going conflicts in the world experienced some kind of third-party military intervention. The ratio of interventions to conflicts is unusually high during the post-World Summit years, but not uniquely so. Better understanding of this important phenomenon in international politics will require both quantitative and qualitative research. This exercise in quantification provides an overall assessment of the frequency of intervention and the types of actors that initiate it. There is more work to be done to confirm these initial findings. It is especially important to discover the reasons for the observed changes in third-party military intervention.
References


UN General Assembly. Sixtieth Session, *World Summit Outcome*, in pursuance of UN General Assembly Resolution 60/1, A/Res/60/1, 2005

Figure 1: Conflicts, Interventions and Interventions/Conflict, 1946-2008
Figure 2: Interventions Per Conflict, 1946-2008
Table 1: Average Number of Conflicts, Interventions and Ratios During Four Time Periods

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<td>Post-9/11</td>
<td>45.4</td>
<td>39.0</td>
<td>0.872</td>
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<td>Post-World Summit</td>
<td>42.3</td>
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<td>0.890</td>
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Table 2: Interventions Initiated by Major Powers, Non-Major Powers and International Organizations, 1946-2008

<table>
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<th>Post Cold War (N=150)</th>
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<td></td>
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NOTE: The above table counts each intervention only in the year it began.