

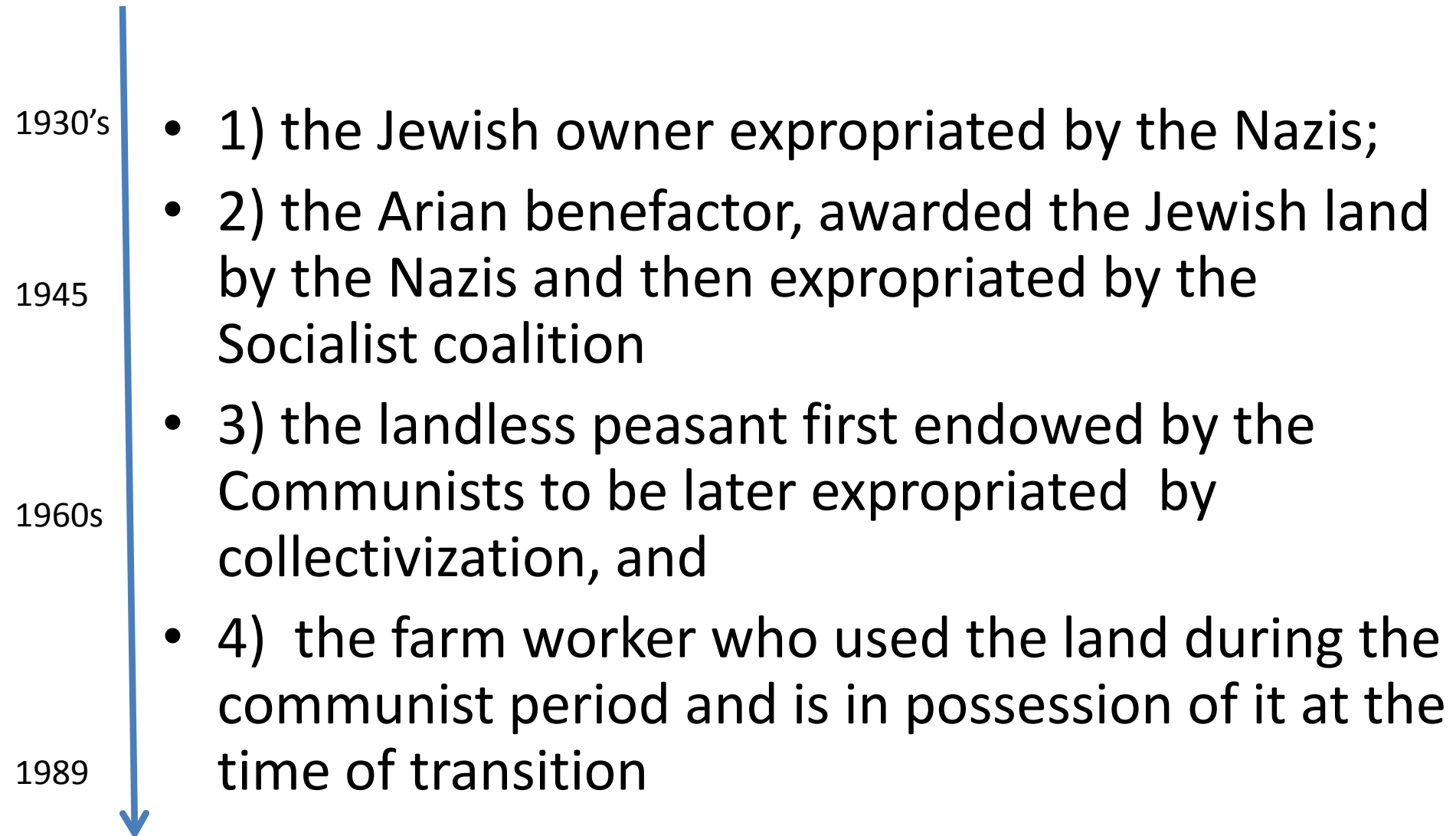
The origins of competing claims to land in East Central Europe

In-kind restitution as a problem of fair division

by Monika Nalepa
Kellogg Institute for International Studies
University of Notre Dame, IN

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Hungary's "layering of claims"



Restitution as a claims problem

- How to divide a homogenous, perfectly divisible good, t , among n agents with competing claims

claims vector $x=(x_1, x_2, \dots, x_n)$

- Competing claims: total sum of claims exceeds the amount of the good that is available: $\sum_i x_i \geq t$
- Allocation rules associate an awards vector with each amount of good to be allocate and claims vector

$F: \mathbb{R}^n \times \mathbb{R} \rightarrow \mathbb{R}$

$F(x,t): y$, where

$y=(y_1, y_2, \dots, y_n)$ is the allotment

A map of Hungary and its surrounding regions. The map shows the following details:

- Neighboring Countries:** Austria to the west, Slovakia to the north, Romania to the east, Serbia to the south, and Slovenia to the southwest. The UKR (Ukraine) is partially visible in the northeast.
- Major Rivers:** The Danube (Danube) flows through the center of the country. The Tisza river flows in the northeast. Lake Balaton is located in the west-central part.
- Major Cities:** Budapest (marked with a star) is the capital, located on the Danube. Other cities include Sopron, Győr, Szombathely, Székesfehérvár, Dunaújváros, Kecskemét, Pécs, Szeged, Debrecen, Miskolc, and Nyíregyháza.
- Geographical Features:** The Kékes mountain is marked in the north-central region.
- Coordinates:** Latitude lines for 48°N and 46°N are shown. Longitude lines for 16°E, 18°E, 20°E, and 22°E are shown.
- Scale:** A scale bar in the bottom right corner indicates distances of 0, 20, and 40 kilometers.





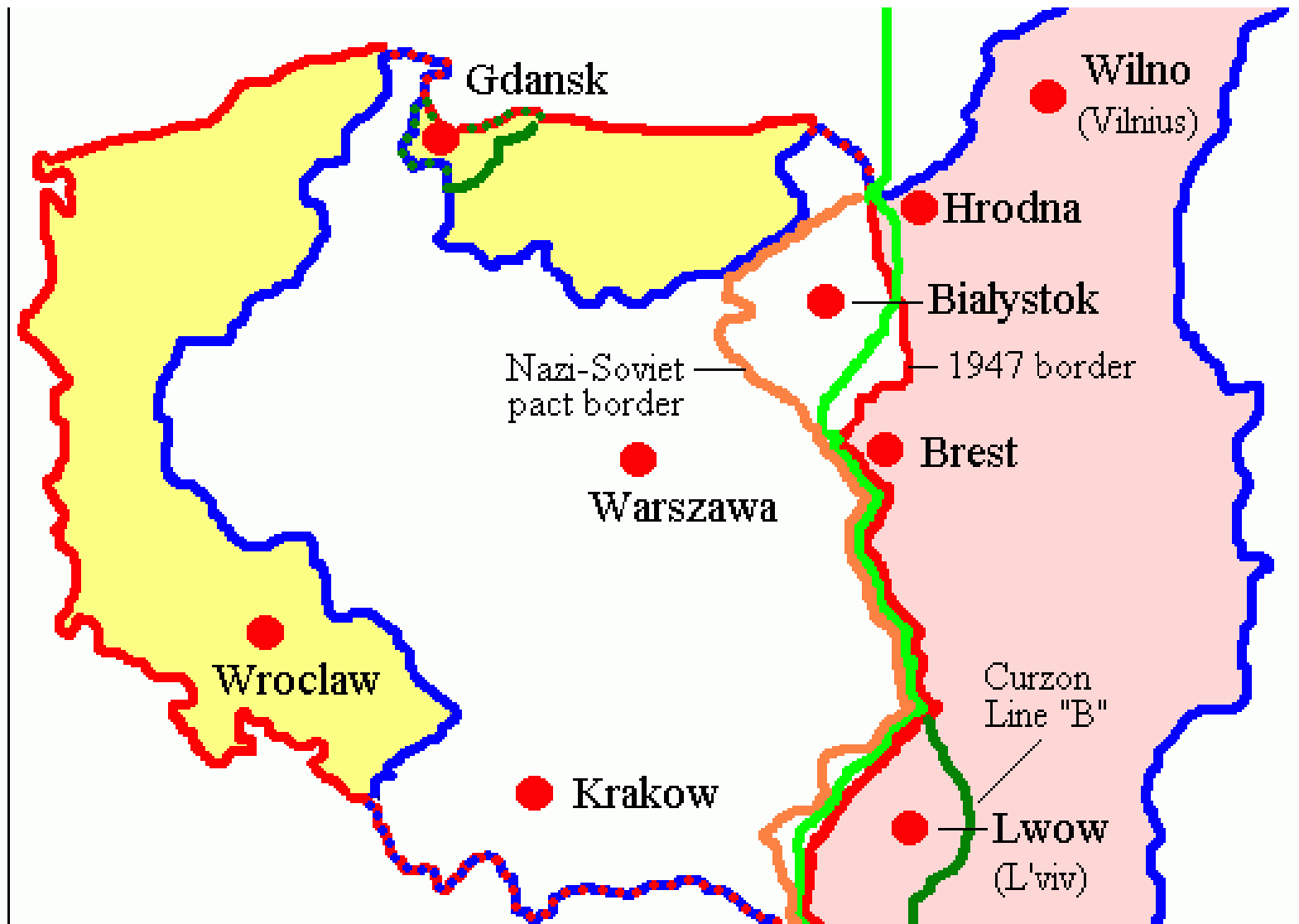
Poland before September 1, 1939



Fig1: The effects of the Ribbentrop-Molotov Pact



Fig 2: Poland before and after WWII



Source: Wikipedia: [http://upload.wikimedia.org/wikipedia/commons/7/75/Map of Poland \(1941\).png](http://upload.wikimedia.org/wikipedia/commons/7/75/Map_of_Poland_(1941).png)

Fig 4: Czechoslovakia before WWII



Fig. 5a Dynamics behind historical layering of claims

Pre-WWII

Stalinist Period

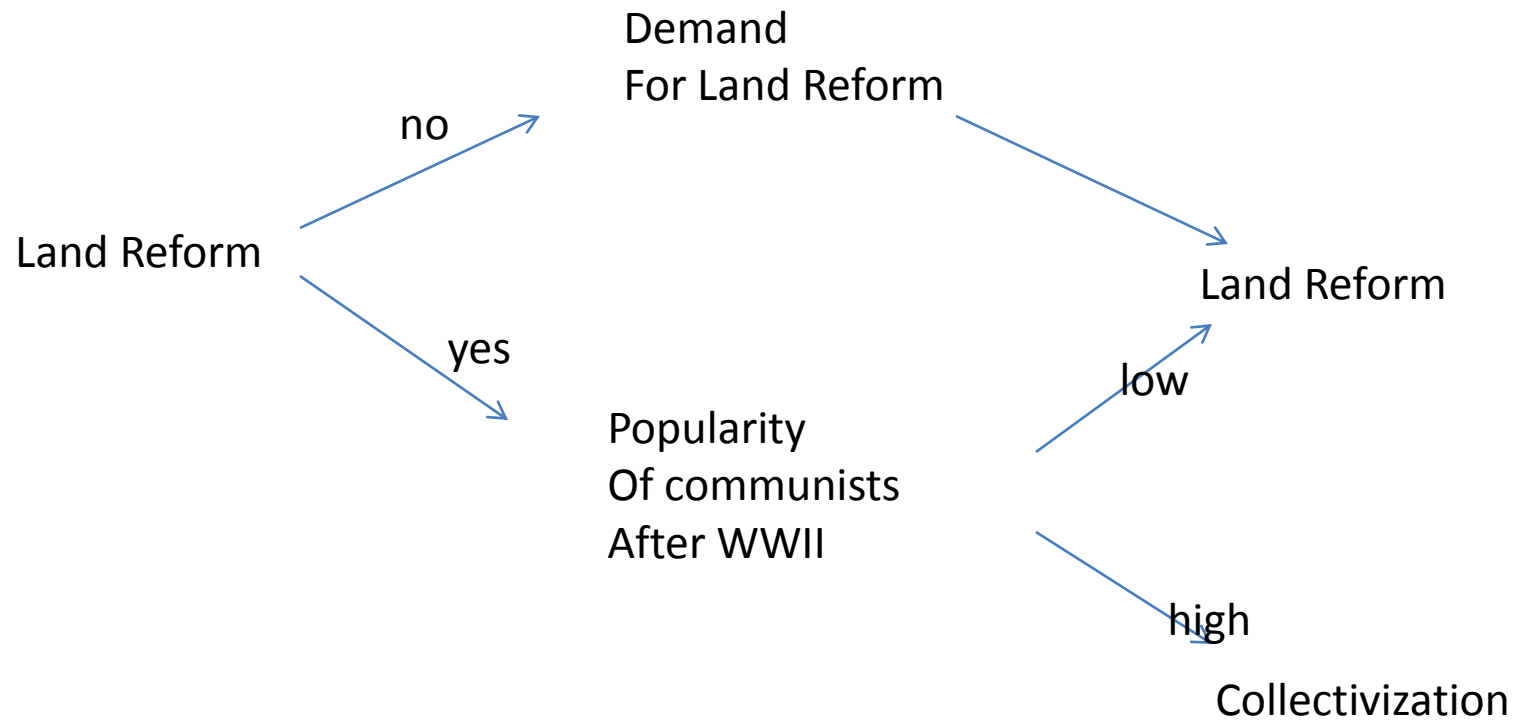
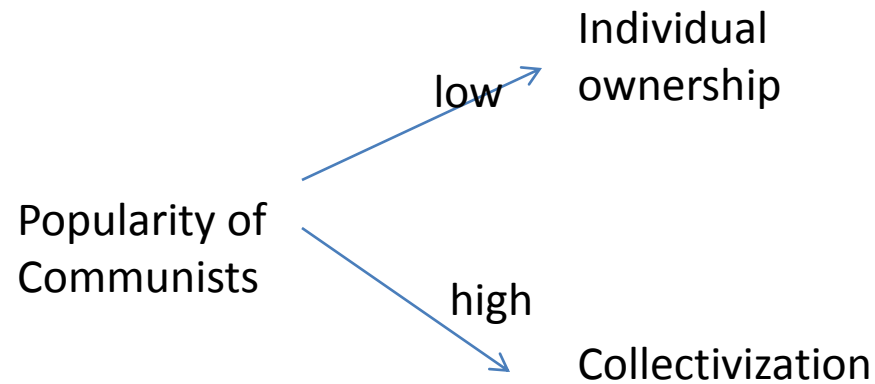


Fig 5b: Dynamics behind historical layering of claims con'd

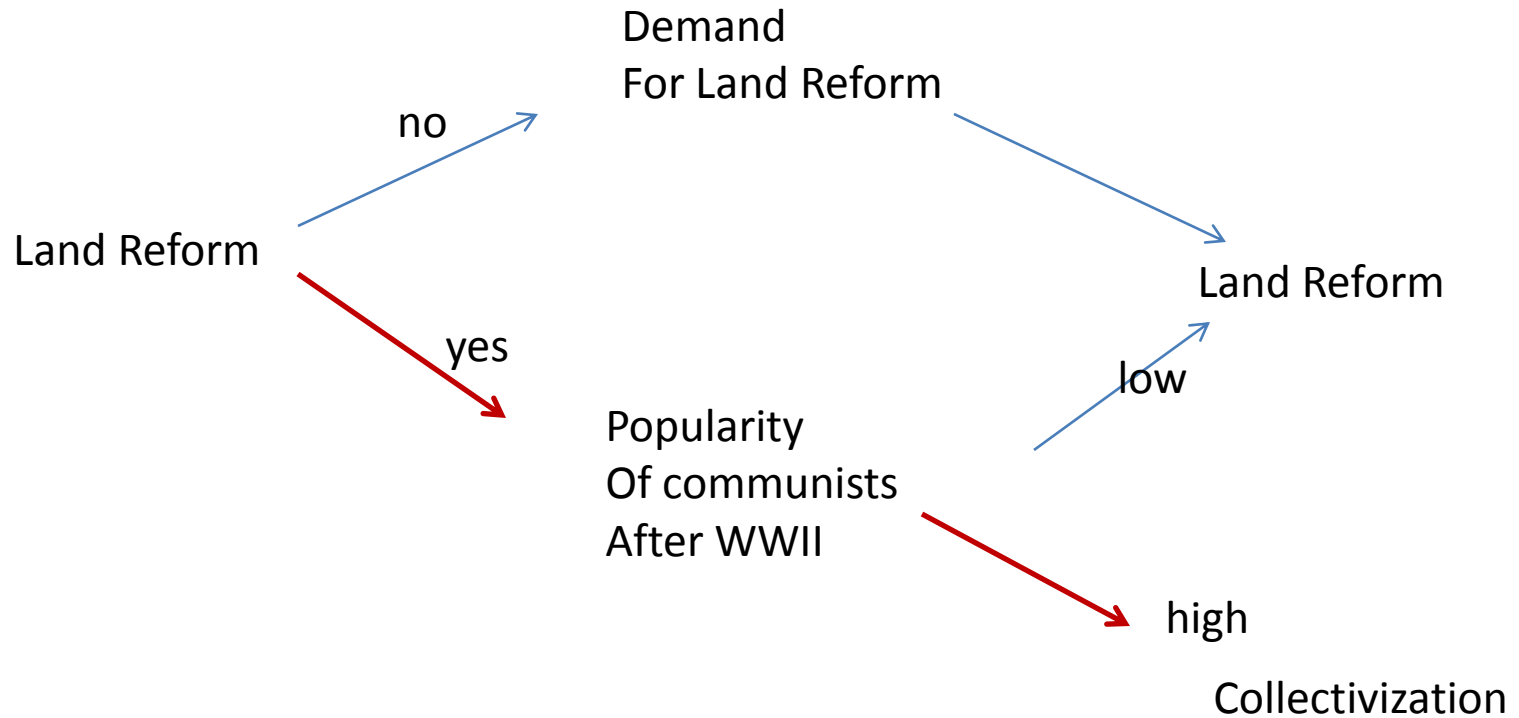
Post- Stalinist Period



Czechoslovakia

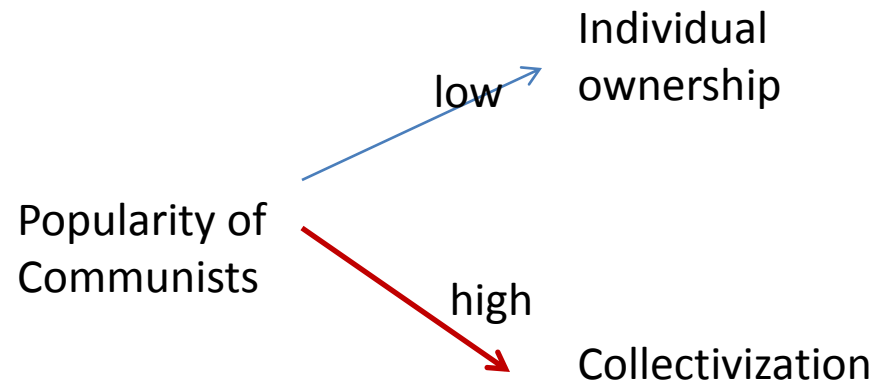
Pre-WWII

Stalinist Period



Czechoslovakia continued

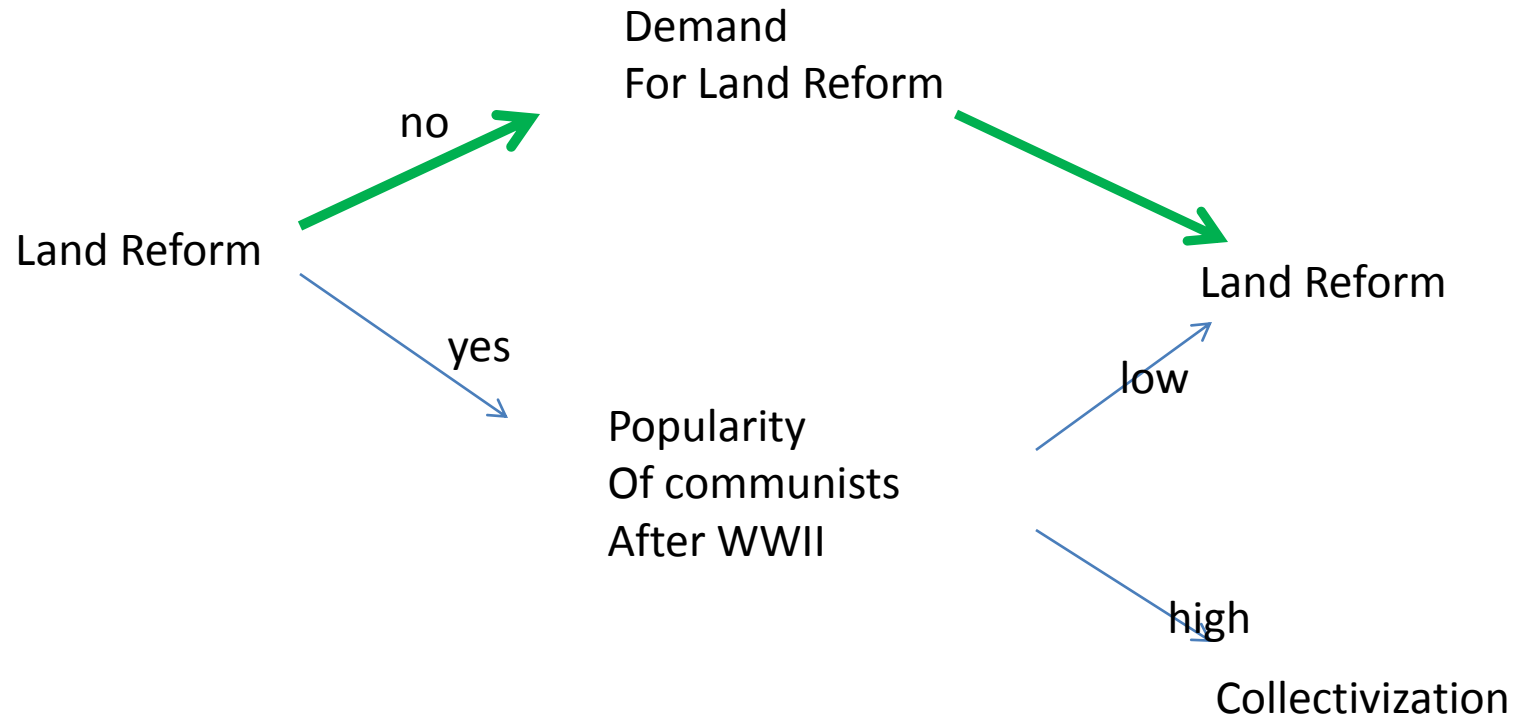
Post- Stalinist Period



Hungary

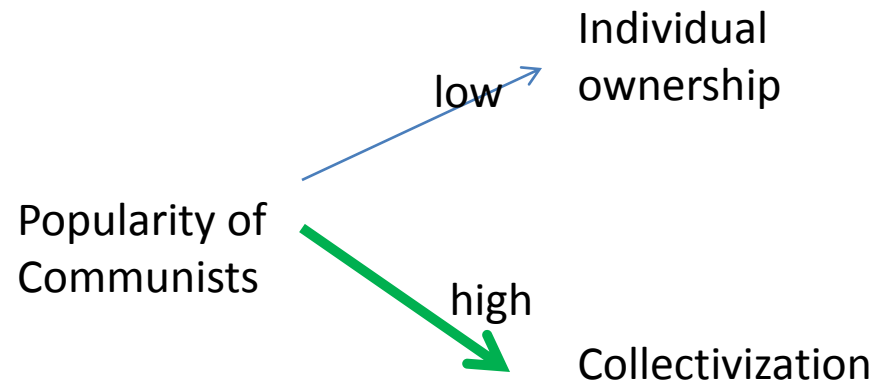
Pre-WWII

Stalinist Period



Hungary cn'd

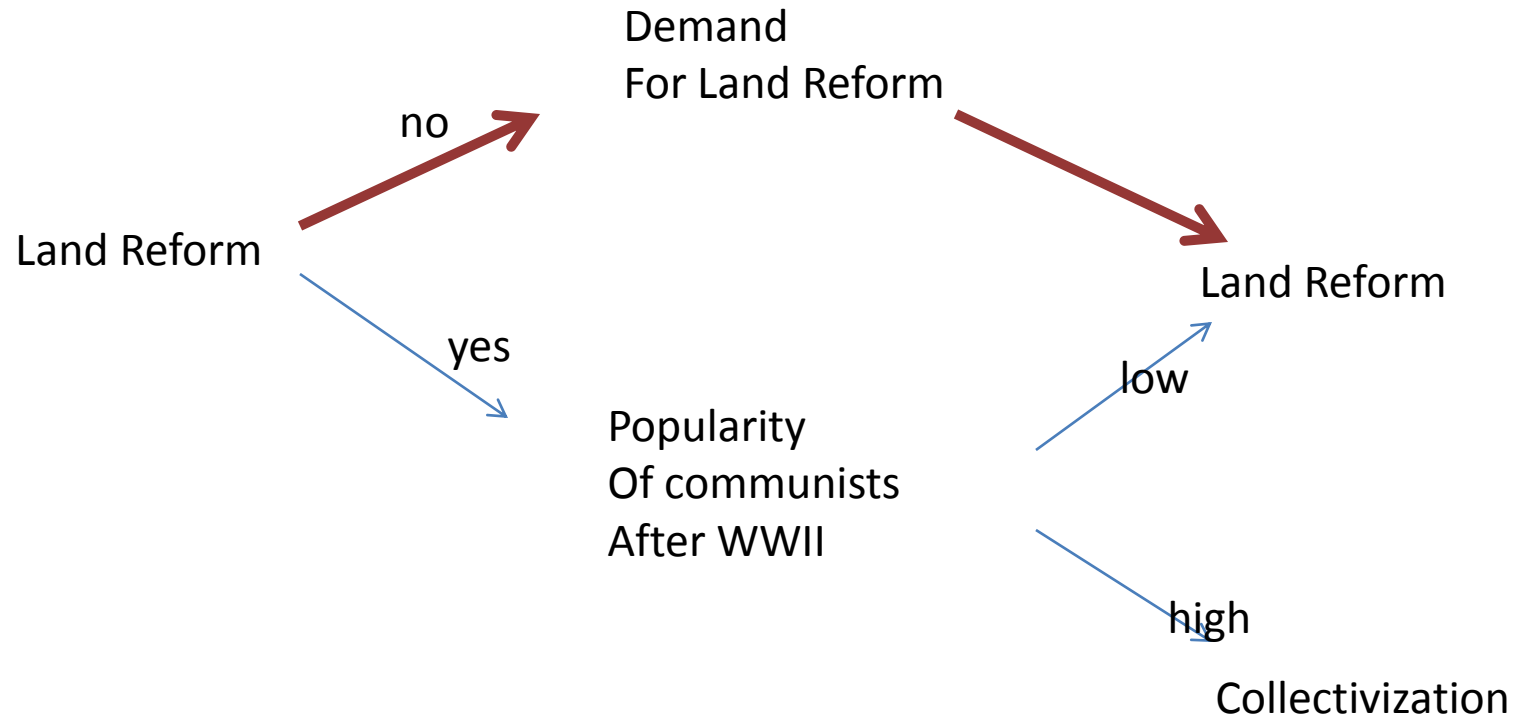
Post- Stalinist Period



Poland

Pre-WWII

Stalinist Period



Poland cn'd

Post- Stalinist Period

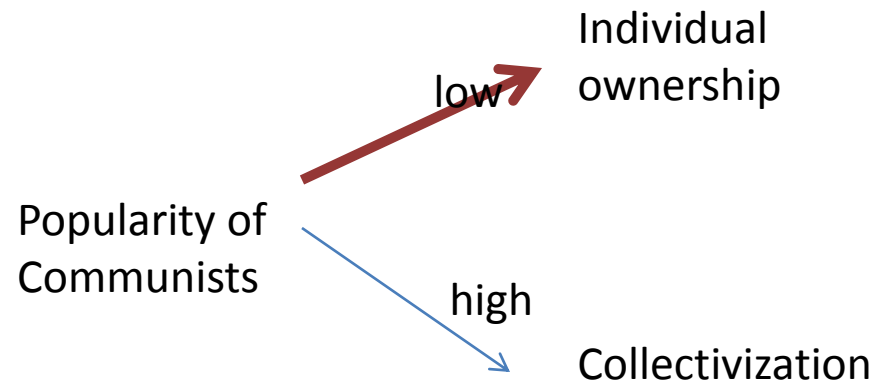


Fig. 6: % of Collectively owned land in Poland, Hungary and the Czech Republic

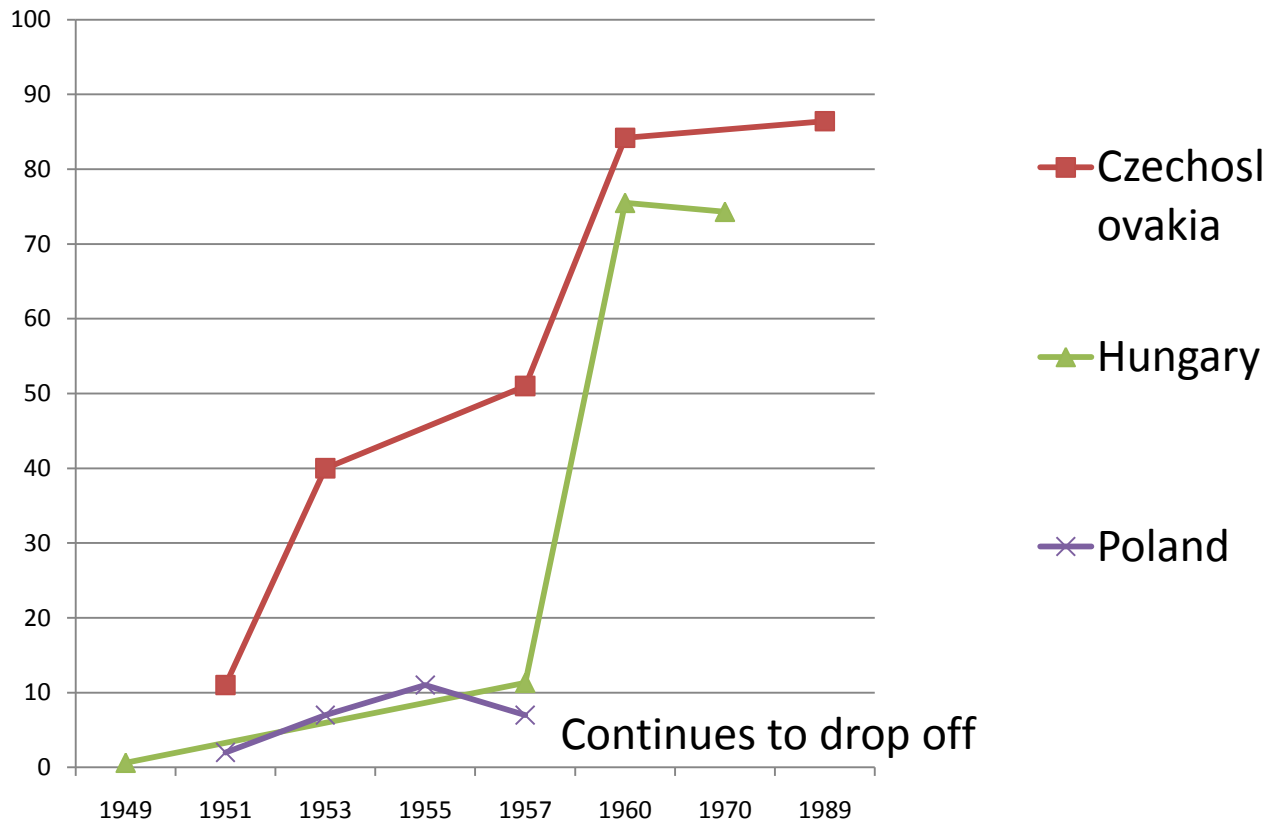
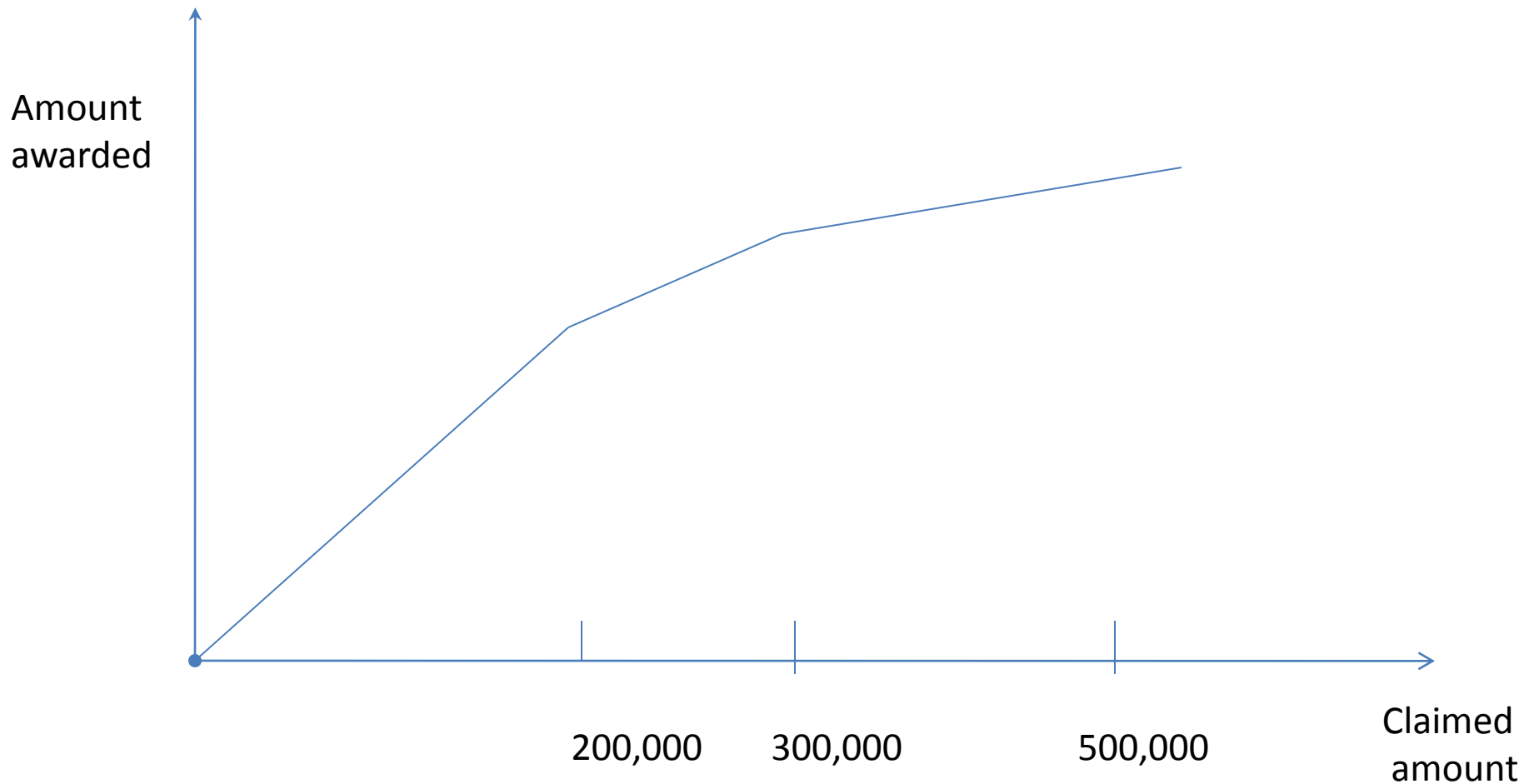


Fig 7: Hungarian I Compensation Law



Lessons for Colombia

- Every time a bad land reform is implemented, it potentially creates another potential layer of historical claims
- Bad reforms **are** worse than no reforms
- Every act of expropriation and redistribution claims to rely on some principles of justice

Categories of claimants based on citizenship

1. citizens of the country where expropriations took place both at the time they were carried out and at the time when claims were made;
2. citizens of the country where the expropriations took place at the time they occurred, but fled the country following the expropriation and are no longer its citizens at the time they are making claims;
3. not citizens at the time of the expropriation, but citizens at the time they are making claims;
4. not citizens in either period.

Desirable properties of allocation rules

- Equity (standard of comparison, just transfers)
- Proportionality
- Efficiency
- Continuity
- Monotonicity (population and land)
- Truncation property
- Concession property