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论检察机关对民事执行活动的法律监督

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摘要: 检察机关依法对民事执行活动进行监督不仅具有很强的必要性、可行性, 而且也具有坚实的理论、实践基础, 其对缓解“执行难”、遏制“执行乱”具有重大的意义。检察机关对民事执行活动进行监督要遵循依法、谦抑、程序保障等原则。民事诉讼法的修改应将民事执行活动纳入检察监督的范围, 并就监督范围、监督方式以及检察机关的监督职权等内容作明确的规定。

关键字: 民事执行活动; 检察机关; 法律监督

Supervision of civil execution by the prosecutorial organization

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Abstract: It is necessary and feasible for prosecutorial organization to supervise the civil execution legally, which also has a solid theoretical and practical basis. The supervision of civil execution by the prosecutorial organization contributes to easing and containing of the difficulty and confusion in the civil execution. The civil execution should be supervised by prosecutorial organization according to the law, principles of the restraintment and procedural safeguards. The civil execution supervision should be included in the scope of prosecutorial supervision, and the scope, pattern and procedure of supervision should be clearly provided in the revised civil procedural law as well.

KeyWords: the civil execution; prosecutorial organization; legal supervision