The following questions are submitted to the European Court of Justice in accordance with Article 234 of the EC Treaty:

1. Does Article 10a of Directive 85/337/EEC in the version of Directive 2003/35/EC require that non-governmental organisations seeking access to the courts of a Member State, whose administrative procedural law necessitates maintaining the impairment of a right, are able to maintain the impairment of all environmental provisions relevant to the authorisation of the project, i.e. also those provisions that exclusively serve the public interest and not also the protection of the legal interests of individuals?

2. If the answer to question 1 is not 100% affirmative:

2. Does Article 10a of Directive 85/337/EEC in the version of Directive 2003/35/EC require that non-governmental organisations seeking access to the courts of a Member State, whose administrative procedural law necessitates maintaining the impairment of a right, are able to maintain the impairment of those environmental provisions relevant to the authorisation of the project that are directly established in Community law or that implement Community environmental provisions into national law, i.e. also those provisions that exclusively serve the public interest and not also the protection of the legal interests of individuals?

a) If the answer to question 2 is affirmative in principle:
Do Community environmental provisions have to meet specific requirements as regards contents for the impairment of a right to be maintained?

b) If the answer to question 2a is affirmative:
What are these requirements (e.g. direct impact, protection purpose, objective)?

3. If the answer to question 1 or 2 is affirmative:
Does the Directive directly grant the non-governmental organisation the right to access to the courts above and beyond the provisions of national law?