

Collaborative Research Proposal: Enhancing the Rights of Persons with Invisible Disabilities

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Introduction

According to the World Health Organization, in 2020. 1) 1.3 billion people or 1 in 6 people worldwide – experience significant disability. 2). Some persons with disabilities die up to 20 years earlier than those without disabilities. 3). Inaccessible health facilities are up to 6 times more difficult for persons with disabilities. There is a misconception that people with disability always use assistive equipment. But that is not the case when it comes to Invisible disabilities. Invisible Disability refers to symptoms such as debilitating pain, fatigue, dizziness, cognitive dysfunctions, brain injuries, learning differences and autoimmune diseases. Etc. These are not always obvious to the onlooker but can sometimes or always limit daily activities, ranging from mild challenges to severe limitations (Connell, 2017). When Invisible disability is not even defined, there is no scope for legal protection and recognition for people with invisible disabilities.

India lacks parameters because there isn't enough data and suitable health infrastructure to collect such data about persons with disabilities, let alone invisible disability (Anicca, 2022).

This collaborative research aims to deepen our understanding of the rights of persons with invisible disabilities and to advocate for their inclusion and empowerment within legal frameworks.

Background and Rationale:

Disability can be a personal experience, making it very challenging to explain precisely. Invisible disabilities refer to conditions that are not readily apparent, hiding the pain or impairments a person experiences in their professional and daily life. In India, according to the Rights of the Persons with Disabilities Act, 2016 (RPWDA), there are only 21 conditions that can qualify a person for disability benefits, the majority of which are apparent impairments. The RPWDA in India was enacted to give effect to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). It emphasises respect for inherent dignity, individual autonomy, complete and adequate inclusion and participation in society, respect for difference, acceptance of persons with disabilities, equality of opportunity, accessibility, and respect for the evolving capacities of children with disabilities. On the other hand, the Americans with Disabilities Act (ADA) of 1990 is a civil rights act preventing discrimination based on disability. It has improved accessibility for individuals with disabilities. Nevertheless, many individuals across the globe, especially those with invisible disabilities, still do not have access to appropriate accommodations. There is still much work to be done, particularly in addressing the needs of those with invisible disabilities.

The purpose of the UNCRPD is to promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity. While the UNCRPD does not explicitly mention invisible disabilities, its broad mandate covers all forms of disabilities. Literature on the specific impact of the UNCRPD on individuals with invisible disabilities is limited, *indicating a need for further research in this area.*

Many people who are diagnosed with Invisible Disabilities are not legally disabled; thus, they are not eligible for any disability benefits or protections provided by the State. Furthermore, procuring health care benefits becomes even more challenging because of the scarce knowledge on the issue.

Literature Review:

The literature on invisible disabilities highlights several key challenges. Dunn and Andrews (2015) note that these disabilities are often overlooked, leading to difficulties in obtaining necessary accommodations and support. Harrison et al. (2018) further emphasize a lack of awareness and understanding among disability resource professionals. This gap extends to the medical field, where Bashir and Tan (2020) argue that education often fails to prepare healthcare professionals to recognize and address the needs of individuals with invisible disabilities. Jones and Smith (2023) highlight the lack of awareness and accommodations in workplace environments, leading to discrimination and employment barriers for individuals with invisible disabilities. Despite legislative efforts like the Rights of Persons with Disabilities Act 2016 in India, Srivastava et al. (2021) point out that challenges persist

in ensuring recognition and accommodation for these individuals.

Research Gap

- The conceptualisation of the term Invisible Disabilities is needed, and there is a lack of comprehensive studies focusing specifically on the experiences and rights of individuals with invisible disabilities.
- Lack of explorative study on effective strategies for accommodating and supporting individuals with invisible disabilities across different contexts, including education, healthcare, employment, and daily life.

Proposed Research Questions:

1. How should laws be inclusive and redefine the term disability?
2. What strategies can be implemented to challenge misconceptions about invisible disabilities and foster a more inclusive and understanding society? (Especially at the workplace)

Objectives

- To identify critical areas of legal ambiguity, gaps in protection, and barriers to accessibility for individuals with invisible disabilities.
- To develop educational materials and resources for legal professionals, policymakers, and the public to enhance understanding and support for individuals with invisible disabilities.

Methodology

- The researcher plans to adopt the Empirical and Doctrinal research methods to carry out the proposed research.
- Identify the persons with Invisible Disabilities in both institutions and identify their problems and obstacles.
- Based on the problem identification, suggest to the Universities to facilitate the persons with invisible disabilities with supporting strategies and policies.
- To study the outcome of the suggestions made.
- Based on the study outcomes, make a policy recommendation to both the Universities.

Expected Outcomes

- *Teaching Enhancement:* Develop and implement innovative teaching methods that promote inclusivity for students and faculties with invisible disabilities.
- *Learning Enhancement:* Foster an inclusive learning environment that caters to the unique needs of students and faculties with invisible disabilities.
- *Research Enhancement:* Conduct collaborative research on the rights of persons with invisible disabilities, focusing on legal frameworks, societal attitudes, and support systems.
- *Exchange of Best Practices:* Share successful strategies and practices between the two universities to improve inclusivity and accessibility for persons with invisible disabilities.
- Enhanced legal protections and support mechanisms for individuals with invisible disabilities through advocacy efforts and policy recommendations.

This collaboration will benefit the students and faculty at Christ University and Anderson University and contribute to the broader academic community and society with inclusivity. I look forward to working together to enhance the rights of persons with invisible disabilities.

References:

1. Dunn, D. S., & Andrews, E. E. (2015). Invisible Disabilities: A review and a call for research and practice change.
2. Harrison, K., Bresnahan, M., & Fear, K. (2018). Understanding the needs of individuals with invisible disabilities: A national survey of disability resource professionals.
3. Bashir, A., & Tan, T. H. (2020). Invisible disabilities: Unique challenges for medical educators.
4. Srivastava, A., et al. (2021). Rights of Persons with Disabilities Act 2016: A boon or bane for persons with invisible disabilities?
5. Jones, L., & Smith, R. (2023). Invisible disabilities and the workplace: Understanding

challenges and promoting inclusivity.

Faculty Profile:

Ms C. Suganya Jeba Sarojini has been working as an assistant professor at CHRIST (Deemed to be University), Pune, Lavasa Campus, since August 2023. Previously, I worked with the School of Excellence in Law, TNDALU, Chennai, for more than six years. She completed her Bachelor’s Degree from Dr. Ambedkar Government Law College, Chennai and her LL.M in Human Rights at Amity Institute of Advance Legal Studies, Amity University (Noida). And she is UGC NET qualified. She is a person of self-motivation who believes in herself and motivates others. She is a person with an Invisible Disability.

Her passion towards teaching has made her a tremendous teacher not only in law but also in life. She is well known for her interpersonal skills. She is the Sustainable Development Goals Cell Coordinator and heads the Human Rights and Gender Justice Committee at the School of Law, Christ University. She was an organizer of the Comparative US-India Constitutional Law Debate Competition conducted by the US Consulate at SOEL; she has also been a part of the organizing committee of the National Youth Parliament conducted by the Ministry of Parliamentary Affairs. She was the faculty coordinator for National webinars conducted by the Department of Human Rights and Duties Education, School of Excellence in Law, TNDALU. She has guided LLM students with their Dissertation research. She has helped many students attain their Career and goals by being part of the Placement cell at SOEL.

She has also been a part of various NGOs and has volunteered many services. She was a teaching Volunteer at UMEED, which provides services for children and young adults with developmental difficulties. She had also volunteered as a Tutor in the Ann Foundation Programme Sponsored by UNICEF. She has also given a series of special lectures to various Universities, APP Aspirants, and practicing Advocates in Law Academies as well.

Research Papers presented in Conferences, Seminars, Workshops, Symposia etc.

S. No.	Date(s)	Title of the Paper	Name of the Conference/Seminar/ Symposia, etc. (International/ National/ State/Regional level)	Organizing Institution
1.	3 rd & 4 th Feb 2011.	“Health, Society & Law-AIDS”	(UGC Sponsored) National Seminar on Health and Society. (National)	Periyar University, Salem
2.	6 th , 7 th Feb 2019	Fostering Dignity and Equality: UDHR in its 8 th Decade	International Symposium (International)	South Asia Consortium for Religion and Law Studies, International Center for Law and Religion Studies, BYU, USA, Faculty of Law, ULC, Bangalore University
3	8 th , 9 th April 2022	Gender Equality: Gender Fluidity in media and its impact on society	National Seminar on 75 years of Independence: Achievements, Challenges and Opportunities. (National)	Modern College of Professional Studies, Affiliated to CCS University
5	6 th , 7 th March 2023	Sexual And Reproductive Autonomy of Women	International Conference on Women In 21 St Century (International)	Loyola College, Chennai

Publication of Research papers in Journal, etc.

S.No	Title with pageno.	JournalName	Publicati on Year	Citation Index	H inde x cf
1	Laws relating to Refugees.	Amity Law Watch Pg no. 54	2016	Issue no: 29 ISSN No. 2320-2270	
2	Conjugal Rights of Prisoners	IRJMSH	2016	Volume 7, Issue 12, ISSN No: 2277-9809(O) 2348-9359(P)	Impact Factor : 3.7401
3	The Chakmas- Unending Struggle.	IRJMSH	2019	Volume 10, Issue 10, ISSN No: 2277-9809(O) 2348-9359(P)	Impact Factor: 6.8416
4.	Gender Equality: Gender Fluidity in media and its impact on society	Independence: Achievements, Challenges and Opportunities. Pg 41 - 46	2022	First Edition 2022 ISBN : 978-93-90870- 59-2	
5.	Right to Occupational health at workplace – A Disquisition on National policy on safety, health and environment at the workplace.	IJHRMRD Pg 65 - 73	2023	Volume 10, Issue 1, Jan – June ISSN: 2248-9401 (Print) ISSN: 2248-941X (Online)	
6.	Rights of the Persons with Invisible Disabilities	CPJ Law journal Pg 526 – 535 UGC Care Listed	2023	VOL. XIII July, 2023” (ISSN 0976-3562)	
7.	Achieving SDGs through Women Entrepreneurs (In Progress)	Submitted for Scopus Journal	2024		