

Ayla Yildirim says she has no hope of freedom if she is forced to return to Turkey.

Because her marriage to a U.S. citizen, Connie Yildirim, is not legally recognized, the couple face the threat of separation if Ayla's claim for political asylum is not accepted.

"Anyone [in Turkey] can be arrested for doing anything that the police believe is against 'Turkish moral code,'" Ayla says. "I could be arrested and tortured just for holding hands or giving a kiss in public."

Ayla came to the United States in 1989 on a student visa to study English. Life in Turkey had been sheltered for Ayla, the daughter of a Muslim father and Russian Orthodox mother. Though she studied Muslim religious practices, she and her brothers were harassed by peers because of their mother's faith.

"I was not allowed much social interaction," Ayla says. "I usually just went to school and came home to help with household chores. I was not allowed to go places by myself, and I was not allowed to go to friends' houses."

As a girl, Ayla bucked against societal customs. She avoided working on embroidery and craft making for her dowry, choosing instead to play marbles and football with boys. Her parents scolded her for being an "erkek fatma," or tomboy. They also feared for her safety. "I was told that...I could get raped or something bad could happen to me," Ayla says.

Coming to the United States has meant the freedom to be her true self. Last year Ayla met Connie, and the two were married at First Unitarian Church of Portland. She now has a job as a senior inventory control clerk. Her work authorization, as granted by the Department of Homeland Security, expires in August.

Unlike heterosexual immigrants who can become citizens when they marry a U.S. resident, Ayla has no such privilege because her spouse is a woman. Her only recourse is to file for political asylum, which she did in September 2002. Unfortunately, her claim should have been filed within a year of her arrival in the United States, a stipulation that she wasn't aware of as an 18-year-old.

Political asylum can be sought for five main reasons: race, religion, political opinion, national origin and social group (i.e., homosexuals). Generally, aliens are granted asylum either because of persecution suffered in the past or by presenting enough evidence to prove they would face persecution upon return.

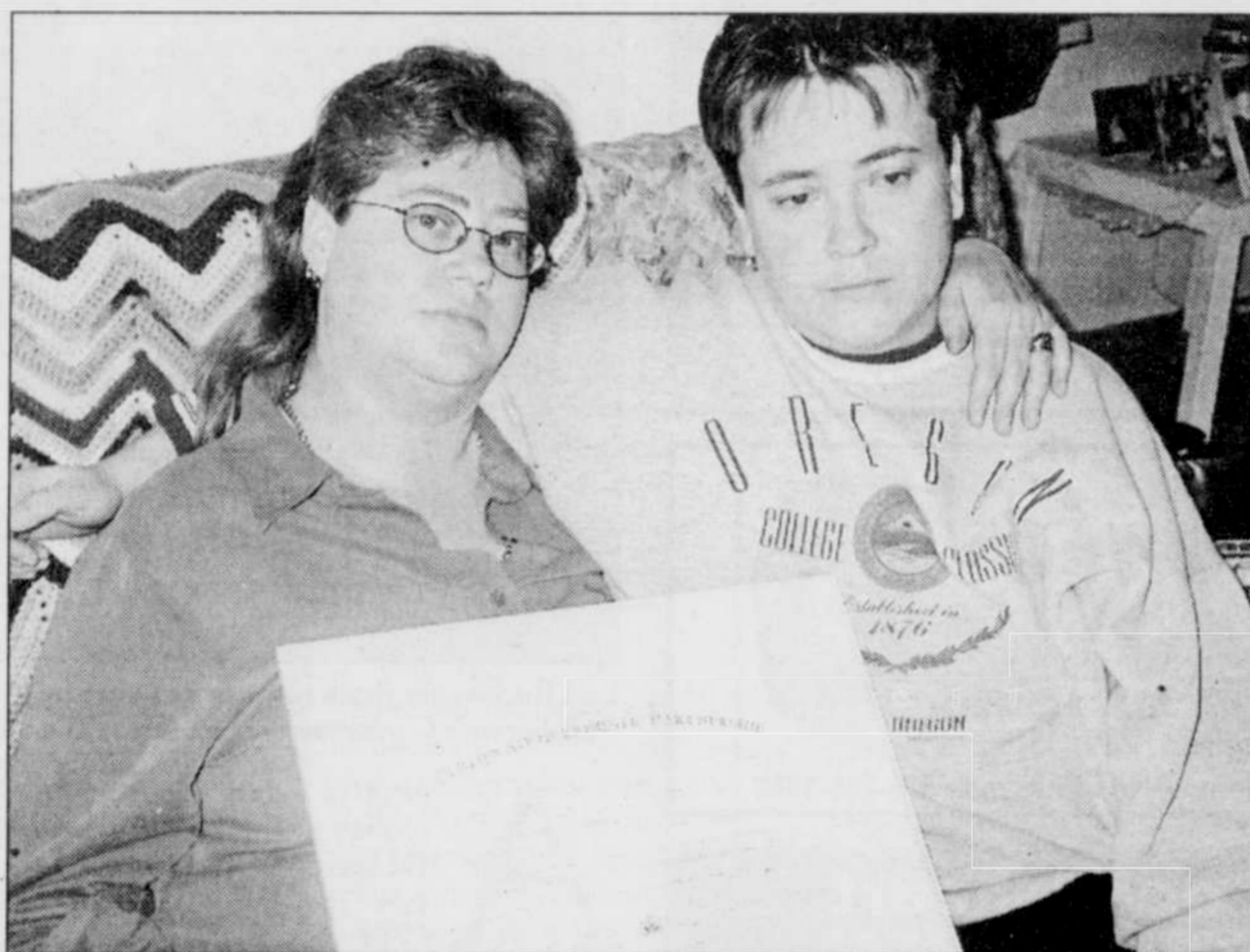
According to the International Gay and Lesbian Association, only one queer person from Turkey has been granted political asylum in the United States—a gay man in 1996.

Ayla is seeking asylum based on her sexual

SEEKING ASYLUM

Binational lesbian couple confront biased U.S. immigration laws

by Meg Daly



If she is forced to return to Turkey, Ayla Yildirim (right, with partner Connie) fears police could arrest and torture her just for holding hands or kissing in public

orientation, political beliefs and the fact that she's not Muslim. "I disagree with many practices in Turkish government and culture," she says.

If asylum is granted, she will be eligible to apply for permanent residence in the United States after one year. If it is not granted, she could appeal, a process that would likely be time-consuming, stressful and expensive.

Ayla says her main support during the process so far has been her wife. "She has helped me so much with love and encouragement. She has encouraged me to not give up in my fight to be free and be myself."

The couple have also sought support and advice from friends and organizations as well as their lawyer, David N. Shomloo.

Connie says she didn't know much about immigrant legal rights before her relationship with Ayla. Her wife's situation has necessitated a crash course. "I [now] know that our immigration laws are very unfair for gays and lesbians," Connie says.

She is urging the queer community to support House Resolution 832, the Permanent Partners Act of 2003. If passed, the bill would extend marriage rights to immigrants who are domestic partners of U.S. citizens.

"This bill is crucial for the gay and lesbian community, especially for binational couples," Connie says. "Without change, our community will continue to face discriminatory treatment under immigration law."

It has been disillusioning to Connie to learn that her country will extend rights to some immigrants and not others based on sexual orientation. "As a U.S. citizen it is hard for me to imagine my country sending [Ayla] back to a place where she would be harmed and have no chance of a life of freedom such as we in the U.S. take for granted," she says.

The Yildirims are reluctant to entertain the thought that Ayla might actually have to leave

the United States if asylum is not granted. Separation is not an option, according to Connie. "I will not allow the discriminatory laws of this country to separate me from Ayla. I will go wherever she goes. I hope and pray that we both can remain in the U.S. However, my marriage is not going to end if she is not allowed to remain here.... So if she is returned to Turkey, I will ultimately be facing the same fears for my safety and freedom [as she would face]."

Ayla says that if she had to return to Turkey she would find it impossible to hide her sexuality. "It has taken me almost 15 years to come out as a lesbian, and I will not go back into the closet," she says. "Turkish society is very oppressive against gays and lesbians...so [by being out] I will be in danger everywhere I go."

Ayla's fears are not unfounded. As recently as 2002, Turkish queer activists decried the discrimination and violence they face. "We are subject to humiliation, exclusion, threats and violence in the houses, streets, schools, workplaces, hospitals, public and private institutions," they said in a public statement.

Turkey is one of only two NATO members that continue to ban gays from their armed forces. The other member is the United States.

According to Lambda Istanbul, "Homosexuality is not a criminal offense in Turkey, but some articles of the highly flexible police regulations can be used very easily to ban meetings and demonstrations on so-called public morality grounds."

Gay foreigners are not excluded from harassment in Turkey, either. In 2000, Turkish police barred about 800 mostly U.S. gay tourists from visiting sites near the Aegean port of Kusadasi.

Ayla's asylum interview has been set for March 2. Her lawyer has told her it will likely be a tough claim to get through, in large part because it was filed so late. She will receive word of the decision within a few weeks of the interview.

"I am scared," says Ayla, plainly. She is being treated for anxiety disorder related to the stress of her case.

"I don't think either one of us is emotionally prepared for the interview," Connie adds. "We both feel overwhelmed with the situation and the possible outcome. I just hope that the community will help us not only financially but with emotional support, prayers and ideas about how to continue our efforts." □

Donations to offset legal fees for the AYLA YILDIRIM case and possible appeals can be sent to P.O. Box 6092, Beaverton, OR 97007. She and her partner, Connie, can be contacted at bluesky3270@aol.com or nurainbow555@aol.com.

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"It has taken me almost 15 years to come out as a lesbian, and I will not go back into the closet"

—Ayla Yildirim

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