



COMITE MARITIME INTERNATIONAL

PRESIDENT

4th June 2023

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Titulary Members
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Dear friends,

Frank Wiswall

21st September 1939 – 31st May 2023

It is with a very heavy heart indeed that I have to inform you about the passing of Frank Lawrence Wiswall Jnr. We were informed of this by his son Frank.

Like all of you, I considered Frank Wiswall as one of the CMI giants. I had the privilege of meeting him several times in Malta on the many occasions he visited the International Maritime Law Institute here. His reputation preceded him and it was always such a pleasure to spend time with him and listen to his words of wisdom quite apart from having a good laugh.

Notwithstanding the above I cannot say that I knew Frank Wiswall well, and I felt that on the event of his passing I should reach out to someone who did know Frank very well indeed so that they could share with us what Frank Wiswall was all about and do justice to his memory. I have therefore reached out to Stuart Hetherington who promptly provided the below.

“ Frank Lawrence Wiswall JR , who passed away on 31 May was a colossus of the CMI. He was a big man with a huge intellect and a great sense of humour.

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Frank Wiswall had a life long love of the sea and in particular the coast at Castine in Maine where he lived for a large part of his life and admiralty law. He managed to spend his entire professional life as legal practitioner, academic, lecturer, writer, editor, chair of whatever organisation he became involved with and auxiliary coast guard - all related to the sea and/or maritime law.

He was a Titulary member of the CMI (1980), Vice President (1997-2005) Honoris Causa and long serving member of the CMI Executive Council (1989-1997) who will be remembered and honoured by CMI for years to come. His knowledge of the history of the CMI was probably only surpassed by Francesco Berlingieri. The booklet he produced for the CMI Centenary Conference is a treasure trove of historical information about the machinery of management of the CMI since its foundation. His knowledge of the history of the CMI and its Constitution meant that he became the Chair of the Constitution Committee and custodian of the CMI Constitution and the behaviours to be expected of Executive Councillors.

His tour de force in publications was the two editions of the CMI Handbook, first edition 1992, which brought together in one accessible format in hard copy all the relevant IMO and CMI Conventions and which was and is an indispensable reference work. He chaired many CMI work studies particularly in relation to Piracy and Maritime Crime (1998-2007) and Classification Societies as well as some Carriage of Goods meetings. In everything he did he was able through his industry and government contacts to engage appropriate experts from around the world to meet at round table meetings to draft solutions to international problems.

Frank Wiswall was a wonderful ambassador for the CMI in many fora including MLA meetings around the world for many years. He was in much demand to speak at maritime legal meetings. He had strong views which he supported with his wide understanding and knowledge of the maritime industry.

He also served as Chair of the Committee in Intergovernmental Organisations of the MLAUS and was created a life member of the MLAUS in 2006.

After his study at Cornell University he worked as research assistant to a recognised authority on maritime law who encouraged him to undertake further graduate study at Clare College, Cambridge UK where he won the Yorke Prize for his doctoral thesis which is the leading intellectual work on the writ in rem: "The Development of Admiralty Jurisdiction and Practice since 1800". It is a seminal work that will be referred to by those able to put their hands on a copy for generations to come.

On his return from Cambridge Frank went to work at leading admiralty firm at the time, Burlingham Underwood (where another old friend of the CMI Michael Marks Cohen was a partner) from 1967- 1973. Frank worked in the Marine Collisions Department. He became involved in the legal affairs of Liberian flagged merchant shipping and joined the Liberian Services

Inc. where he was Vice President and General Counsel and President. (between 1973-1988) He also started working with the IMO Legal Committee and contributed to the Third UN Convention of the Law of the Sea (1973-1982). He became Vice Chair (1974-1979) and then Chair (1980-1984) of the Legal Committee at the IMO. Under his Chairmanship many Conventions were agreed. Frank served as Maritime Counsel at the International Bank in Washington DC and then entered into private practice and a dual consulting and academic life developed. He was a visiting Professor at his alma mater Cornell, Tulane and University of Virginia. For 18 years he lectured regularly at the World Maritime University at Malmo, Sweden and IMLI at Malta (where he also served as a governor). In addition he edited 7 Volumes of Benedict on Admiralty.

The CMI took great pride in putting Frank forward for the annual IMO International Prize in 2015 and were honoured when he won it. The speeches made at the IMO when the honour was conferred on him can be seen in the CMI News Letter of the time. Patrick Griggs recounted how Frank, as Admiralty counsel to the Bureau of Maritime Affairs, Republic of Liberia, participated in many high profile enquiries into casualties in the late 70s and early 80s. As Patrick described it Frank was “a sort of prosecutor” and “we learned the hard way that it was as well to have your witnesses well prepared before Frank examined them”. As Patrick said “These were thorough and well conducted inquiries due, in large part, to Frank’s careful preparation and presentation”. The reports, Patrick added, which emanated from the Chairs (generally retired UK judges) played a major part in improving safety at sea. Patrick also reported that Frank always wore his “good luck” red socks for such enquiries.

Frank made a short and memorable welcome speech at the opening of the CMI New York Conference in 2016. Unfortunately he was due to speak with his old friend Lord Phillips on that occasion who was prevented from attending due to being involved in a car accident a few days before travelling to New York. It was a great disappointment to them both. Frank in his inimitable way referred to a speech made by Robert Dewey Benedict in the late 19th century at a dinner on the occasion of what Frank described as the inaugural first international maritime diplomatic conference that set the precedent for all subsequent CMI meetings. In his speech Benedict (who was to become 10 years later the first President of MLAUS) foreshadowed that this meeting (which produced International regulations for preventing collisions at sea) would be followed by many such meetings where attendees give “their time and labour in the hope of accomplishing something which shall increase harmony among the nations and safety on the sea.”

That says it all about Frank. It’s almost as if he chose to live his professional life with those words in mind.

Frank married Libby in 1975. They were inseparable. She attended all CMI meetings that Frank attended and assisted with the extra curricular Wiswall activities on behalf of CMI in designing logos, ties and scarves, flags and burgees. They had two children Anne and Frank Wiswall III and 5

grandchildren. Both of them were active members of the US Coast Guard Auxiliary. Their service in that regard epitomises so much of Frank's life including for the CMI. "

Thank you Stuart. Our most sincere condolences go to his beloved wife Libby, and his children Anne and Frank and his dear grandchildren. We will be honouring the memory of Frank during our General Assembly in Montreal.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Ann Fenech". The signature is fluid and cursive, with a long horizontal stroke at the bottom.

Ann Fenech